

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

Demetrius Whitney, individually)	
and for a class,)	
)	
<i>Plaintiff,</i>)	
)	18-cv-4475
<i>-vs-</i>)	
)	Judge Kennelly
Fauzia Khan, Thomas Dart, and)	
Cook County,)	
)	
)	
<i>Defendants.</i>)	

ORDER APPROVING CLASS ACTION SETTLEMENT

This matter is before the Court for final approval of the Settlement Agreement in this class action. The Court is familiar with the history of this case and the issues raised. The Court has reviewed and considered the Settlement Agreement and Plaintiffs' Memorandum in Support of Approval of Class Action Settlement and provided the parties and any class member with an opportunity to be heard at a hearing on August 3, 2021. No one has objected to the proposed settlement. Accordingly,

IT IS ORDERED:

1. The Court has considered the strength of plaintiffs' case compared to the amount of defendants' settlement offer, and assessed the complexity, length, risk, uncertainty, and expense of the litigation, and finds

that the settlement is fair, reasonable, and adequate in accordance with Rule 23(e)(2) of the Federal Rules of Civil Procedure.

2. The Court has considered the affidavit from Christopher Longley, the Chief Executive Officer of the administrator (Atticus Administration LLC) submitted with Plaintiffs' Memorandum in Support of Approval of Class Action Settlement, dkt. 316-1, and has reviewed the actual forms used to provide class notice and an opportunity to opt-out and finds that the class has received appropriate notice in accordance with Rule 23(e)(1) of the Federal Rules of Civil Procedure.

3. Class counsel has informed the Court that 447 valid claims have been filed as of July 23, 2021. The Cook County Board will be notified that the class settlement has received final approval by the Court and will be requested to place final approval on the board agenda at their next meeting on September 15, 2021. Shortly thereafter the administrator will begin sending checks to class members. Based on the number of claims filed by the deadline, members of the class will receive \$1,500 and members of the subclass will receive \$1,800. There will be an opportunity for second wave payments to members of the class and subclass.

4. The Court has also been informed that the administrator received five opt-outs. The individuals are: Willie Luckett, Anthony Jackson, Jerome Lawrence, Clifton Bridges, and Andrew Warren.


5. The Court approves the payment of an incentive award of \$25,000 (twenty-five thousand dollars) to class representative Demetrius Whitney, the payment of \$20,000 (twenty thousand dollars) to subclass representative Robert Burgess, and the payment of \$15,000 (fifteen thousand dollars) to subclass representative Brian Henry. The Court also approves the payment of an additional \$1,000 to the following deposed members of the class or subclass: Joseph Townsend, Ayo Dunn, Deon Mathis, Gerald Hacker, Vanessa Sanders, Noe Page, Tiffany Cox, Joseph Mathis, Carlos Rodriguez, Andrew McCowen, Berl McKinnie, Antonio Rosales, Jose Lucio, Andre Yates, Ronald Schwichtenberg, Arnold Scott, Tiera Graves, Magdalena Kotwica, Lamika Overall, Vivan McGee, Rosalina Solis, Joy Ramos, Katrina Holman, Shawnda Terry, Tekisha Anderson, Darnel Junious, Brian Herron, Brendan Thornton, and Nicole Morris.

6. The payment of fees to Plaintiffs' counsel in the amount of \$1,126,228.28 and expenses in the amount of \$92,460 is hereby approved as fair and reasonable. The Court does not make any finding on the reasonableness of the hourly rates cited in Plaintiffs' Memorandum in Support of Approval of Class Action Settlement, Dkt. 316 at 14.

7. The Court grants final approval of the Settlement. The Court retains jurisdiction to August 3, 2022 to implement the terms of the Settlement Agreement.

Dated: August 5, 2021

Enter:


Matthew F. Kennelly
United States District Judge